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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,873	08/21/2001	Akihiko Sugukawa	213133US2SRD	6798

22850 7590 02/08/2007
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/932,873

Applicant(s)

SUGUKAWA ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 1-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 23, 24, 30 and 33 are rejected under 35

U.S.C. 102(b) as being anticipated by Bjorndahl, WIPO

International Publication Number: WO 99/41876 (hereinafter Bjorndahl).

Regarding claim 23, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal by performing infrared communication (see IR from Figure 2) with the handheld communication terminal

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instead of executing a procedure of a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and

a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Regarding claim 24, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal, which is transmitted from a wireless tag (see unit 23 from Figure 2), instead of executing a procedure of

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a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Regarding claim 30, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal by performing infrared communication (see IR from Figure 2) with the handheld communication terminal instead of executing a procedure of a Bluetooth (see Bluetooth

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from pages 10-12) terminal search phase to acquire the terminal identification information; and

a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Regarding claim 33, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal, which is transmitted from a wireless tag (see unit 23 from Figure 2), instead of executing a procedure of a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and

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a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 22, 25, 26, 28, 29, 32, 35, 36 and 38 are rejected under 35 U.S.C § 103(a) as being unpatentable over Bjorndahl in view of Beamish et al, U.S. Patent Application Publication No. 2004/0209598 (hereinafter Beamish).

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Regarding claim 22, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal by establishing a secure link (see secure link from abstract) instead of executing a procedure of a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and

a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Further on the issue of claim 22, nowhere does Bjorndahl mention the secure link is established by reading a barcode on

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the handheld communication terminal. Nonetheless Beamish discloses this limitation (see paragraph 0054). As a result, it would have been obvious to one of ordinary skill in the art to modify Bjorndahl with the bar code reader of Beamish. This modification would have improved the system's reliability by minimizing exposure of sensitive information as suggested by Bjorndahl (see abstract).

Regarding claim 25, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal by establishing a secure link (see secure link from abstract) and to recognize information from the secure link instead of executing a procedure of a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and

a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth

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connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Further on the issue of claim 25, nowhere does Bjorndahl mention the secure link is established by acquiring an image of the terminal identification and the information from the secure link is an image. Nonetheless Beamish discloses these limitations (see paragraph 0054). As a result, it would have been obvious to one of ordinary skill in the art to modify Bjorndahl with the bar code reader of Beamish. This modification would have improved the system's reliability by minimizing exposure of sensitive information as suggested by Bjorndahl (see abstract).

Regarding claim 26, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

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an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal by establishing a secure link (see secure link from abstract) instead of executing a procedure of a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and

a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Further on the issue of claim 26, nowhere does Bjorndahl mention the secure link is established by reading a barcode on the handheld communication terminal. Nonetheless Beamish discloses this limitation (see paragraph 0054). As a result, it would have been obvious to one of ordinary skill in the art to modify Bjorndahl with the bar code reader of Beamish. This modification would have improved the system's reliability by

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minimizing exposure of sensitive information as suggested by Bjorndahl (see abstract).

On the issue of claim 28, the primary reference doesn't teach the acquisition device acquires the terminal identification information of the handheld communication terminal by reading a barcode on the handheld communication terminal using a barcode reader configured to read a barcode of a product. Nonetheless Beamish discloses this limitation (see paragraph 0054). As a result, it would have been obvious to one of ordinary skill in the art to modify Bjorndahl with the barcode reader of Beamish. This modification would have improved the system's reliability by minimizing exposure of sensitive information as suggested by Bjorndahl (see abstract).

Regarding claim 29, see page 9 of Bjorndahl.

Regarding claim 32, see page 9 of Bjorndahl.

Regarding claim 35, see page 9 of Bjorndahl.

Regarding claim 36, Bjorndahl discloses an information exchange apparatus (see unit 21 from Figure 2) configured to establish a Bluetooth connection with a handheld communication

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terminal (see unit 20 from Figure 2) and to exchange information with the handheld communication terminal, comprising:

an acquisition device (see unit 22 from Figure 2) configured to acquire terminal identification information (see sensitive information from abstract) of the handheld communication terminal by establishing a secure link (see secure link from abstract) and to recognize information from the secure link instead of executing a procedure of a Bluetooth (see Bluetooth from pages 10-12) terminal search phase to acquire the terminal identification information; and

a short distance wireless communication device (see unit 21A from Figure 2) configured to establish the Bluetooth connection with the handheld communication terminal whose terminal identification information is acquired by the acquisition device and to exchange information (see Subsequent communications from abstract) with the handheld communication terminal in accordance with a Bluetooth procedure following the procedure of the Bluetooth terminal search phase.

Further on the issue of claim 36, nowhere does Bjorndahl mention the secure link is established by acquiring an image of the terminal identification and the information from the secure link is an image. Nonetheless Beamish discloses these

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limitations (see paragraph 0054). As a result, it would have been obvious to one of ordinary skill in the art to modify Bjorndahl with the bar code reader of Beamish. This modification would have improved the system's reliability by minimizing exposure of sensitive information as suggested by Bjorndahl (see abstract).

Regarding claim 38, see page 9 of Bjorndahl.

5. Claims 27 and 37 are rejected under 35 U.S.C § 103(a) as being unpatentable over Bjorndahl combined with Beamish in further view of Beach et al, European Patent Application No. 0,856,812 (hereinafter Beach).

As per claim 27, neither Bjorndahl nor Beamish teach that the terminal identification information acquired by the acquisition device is made correspondent to a purchase history of the user to obtain input data of the POS system. However, Beach discloses this feature (see column 11). As a result, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Bjorndahl and Beamish with the information of Beach. This modification would have improved the system's

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flexibility by utilizing a plethora of wirelessly interconnected devices as suggested by Bjorndahl (see Figure 4).

Claim 37 is rejected for the same reasons as claim 27.

6. Claims 31 and 34 are rejected under 35 U.S.C § 103(a) as being unpatentable over Bjorndahl in view of Beach.

As per claim 31, Bjorndahl does not teach that the terminal identification information acquired by the acquisition device is made correspondent to a purchase history of the user to obtain input data of the POS system. However, Beach discloses this feature (see column 11). As a result, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bjorndahl with the information of Beach. This modification would have improved the system's flexibility by utilizing a plethora of wirelessly interconnected devices as suggested by Bjorndahl (see Figure 4).

Claim 34 is rejected for the same reasons as claim 31.

Response to Arguments

7. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah

Olisa Anwah
Patent Examiner
January 17, 2007